

Appl. No. 10/762,164  
Reply to Advisory Action of May 17, 2006

Attorney Docket No. 2002-0246 / 24061.477  
Customer No. 42717

**Amendments To The Claims**

Please cancel Claims 20-22 and 24-27 without prejudice. The following list of the claims replaces all prior versions and lists of the claims in this application.

Claims 1-27 (Canceled).

28. (Previously presented) At least one high-k device, comprising:  
a structure having a strained substrate formed thereover, the strained substrate comprising an uppermost strained-Si epi layer, a middle relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer and a lowermost graded  $\text{Si}_{1-y}\text{Ge}_y$  layer;  
at least one dielectric gate oxide portion over the strained substrate, the at least one dielectric gate oxide portion having a dielectric constant of greater than about 4.0; and  
a device over each of the at least one dielectric gate oxide portion to complete the at least one high-k device.

29. (Previously presented) The device of claim 28, the uppermost strained-Si epi layer having a thickness of from about 100 to 500Å; the middle relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer having a thickness of from about 1000 to 50,000Å; and the lowermost graded  $\text{Si}_{1-y}\text{Ge}_y$  layer having a thickness of from about 200 to 50,000Å.

30. (Previously presented) The device of claim 28, where  $x$  is greater than 0 and less than about 0.50 and where  $y$  is 0 or about 0 proximate the structure and increases to about  $x$  proximate the middle relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer, wherein  $x \geq y$ .

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31. (Previously presented) At least one high-k device, comprising:  
a structure having a strained substrate formed thereover, the strained substrate comprising an uppermost strained-Si epi layer, a middle  $\text{Si}_{1-x}\text{Ge}_x$  layer and a lower silicon oxide layer;

at least one dielectric gate oxide portion over the strained substrate, the at least one dielectric gate oxide portion having a dielectric constant of greater than about 4.0; and

a device over each of the at least one dielectric gate oxide portion to complete the at least one high-k device.

32. (Previously presented) The device of claim 31, wherein the uppermost strained-Si epi layer has a thickness of from about 100 to 500Å, the middle  $\text{Si}_{1-x}\text{Ge}_x$  layer has a thickness of from about 700 to 1200Å and the lower silicon oxide layer has a thickness of from about 800 to 2000Å.

33. (Previously presented) At least one high-k device, comprising:  
a structure having a strained substrate formed thereover, the strained substrate comprising an uppermost strained-Si epi layer over an upper relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer over a graded  $\text{Si}_{1-y}\text{Ge}_y$  layer over an epi layer over a lowermost relaxed  $\text{Si}_{1-z}\text{Ge}_z$  layer, wherein  $x \geq y \geq z$ ;  
at least one dielectric gate oxide portion over the strained substrate, the at least one dielectric gate oxide portion having a dielectric constant of greater than about 4.0; and  
a device over each of the at least one dielectric gate oxide portion to complete the at least one high-k device.

34. (Previously presented) The device of claim 33, the uppermost strained-Si epi layer having a thickness of from about 100 to 500Å; the upper relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer having a thickness of from about 1000 to 50,000Å; the graded  $\text{Si}_{1-y}\text{Ge}_y$  layer having a thickness of from about 2000 to 50,000Å; the epi layer having a thickness of from about

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20 to 500Å; and the lowermost relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer having a thickness of from about 200 to 50,000 Å.

35. (Previously presented) The device of claim 33, the uppermost strained-Si epi layer having a thickness of from about 150 to 300Å; the upper relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer having a thickness of from about 2000 to 40,000Å; the graded  $\text{Si}_{1-y}\text{Ge}_y$  layer having a thickness of from about 500 to 25,000Å; the epi layer having a thickness of from about 50 to 200Å; and the lowermost relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer having a thickness of from about 500 to 25,000Å.

36. (Previously presented) The device of claim 33, where x is no less than y and less than about 0.50, where y is no less than z proximate the epi layer and increases to about x proximate the upper relaxed  $\text{Si}_{1-x}\text{Ge}_x$  layer, and where z is greater than 0 and less than about 0.50.

37. (Previously presented) The device of claim 33, wherein the at least one dielectric gate oxide portion being comprised of  $\text{HfO}_2$  or  $\text{HfSiO}_4$ .

38. (Currently amended) The device of claim 41, wherein the relaxed  $\text{Si}_{1-y}\text{Ge}_y$  layer has a thickness of from about 200 to 30,000Å, the constant  $\text{Si}_{1-y}\text{Ge}_y$  layer has a thickness of from about 200 to 20,000Å, the silicon epi layer has a thickness of from about 20 to 500Å, the constant  $\text{Si}_{1-z}\text{Ge}_z$  layer has a thickness of from about 200 to 20,000Å, and the uppermost strained-Si epi layer ~~has-g~~ has a thickness of from about 20 to 500Å.

39. (Previously presented) The device of claim 41, wherein the relaxed  $\text{Si}_{1-y}\text{Ge}_y$  layer has a thickness of from about 300 to 5000Å, the constant  $\text{Si}_{1-y}\text{Ge}_y$  layer has a

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thickness of from about 300 to 5000Å, the silicon epi layer has a thickness of from about 50 to 300Å, the constant  $\text{Si}_{1-x}\text{Ge}_x$  layer has a thickness of from about 300 to 5000Å, and the uppermost strained-Si epi layer has a thickness of from about 50 to 300Å.

40. (Previously presented) The device of claim 41, wherein the at least one dielectric gate oxide portion is comprised of  $\text{HfO}_2$  or  $\text{HfSiO}_4$ .

41. (Previously presented) At least one high-k device, comprising:  
a structure having a strained substrate formed thereover, the strained substrate comprising an uppermost strained-Si epi layer, a relaxed  $\text{Si}_{1-y}\text{Ge}_y$  layer under the uppermost strained-Si epi layer, a constant  $\text{Si}_{1-y}\text{Ge}_y$  layer under the relaxed  $\text{Si}_{1-y}\text{Ge}_y$  layer, a silicon epi layer under the constant  $\text{Si}_{1-y}\text{Ge}_y$  layer, and a constant  $\text{Si}_{1-x}\text{Ge}_x$  layer under the silicon epi layer, wherein the uppermost relaxed-Si epi layer is comprised of  $\text{Si}_{1-x}\text{Ge}_x$  wherein x is constant or graded;

at least one dielectric gate oxide portion over the strained substrate, the at least one dielectric gate oxide portion having a dielectric constant of greater than about 4.0; and

a device over each of the at least one dielectric gate oxide portion to complete the at least one high-k device.